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November 30, 2004

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Application No. : **2,456,268**
Owner : TORRANCE, EDWARD
Title : **CABLE ORGANIZER CABINET**
Classification : A47B-81/00
Your File No. : **7317-001C**
Examiner : Jean-François Dufour Jr. Eng.

YOU ARE HEREBY NOTIFIED OF :

- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*;
- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SECTION 29 OF THE *PATENT RULES*.

IN ORDER TO AVOID MULTIPLE ABANDONMENTS UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY TO EACH REQUISITION MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

Applicant's letter of September 29, 2004 has been received and the application has been examined having regard to applicant's arguments. However, the examiner considers that the application still does not comply with the *Patent Act* or *Rules*.

The number of claims in this application is 15.

A search of the prior art has revealed the following:

References Applied:

United States Patents

6,017,228 January 25, 2000 Int. Cl.⁷ H01R 13/44 Verbeek et al.

Verbeek et al. disclose a cabinet comprising a base, a rear panel, a stationary top panel, oppositely arranged side panels, a front panel and power supply means located inside the cabinet; the front panel comprising a door; the stationary top panel comprising a planar surface having an opening; the door comprising one panel hinged on one side; the power supply means comprising two ports to receive male end plugs.

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O P I C  C I P O

The examiner has identified the following defects in the application:

Claims 1 to 3 do not comply with Section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Verbeek et al. in view of common knowledge. Regarding claims 1 and 2, no unexpected mode of operation or function results from fixing instead of making stationer the top and side panels and providing an opening on each of the side panels. Thus, it would have been obvious for a person skilled in the art of cabinets to fix instead of making stationer the top and side panels. Also, it would have been obvious for a person skilled in the art of cabinets to provide an opening on each of the side panels for convenience. Regarding claim 3, the mere substitution of a sliding door for a hinged regular door does not bring any new mode of operation nor function to the cabinet regarded as a whole. Thus, it would have been obvious for a person skilled in the art of cabinets to change the way the door opens to access the cabinet. It is held that a person skilled in the art of cabinets adapted to organize electrical cables would have thought of combining the structures of the cabinet disclosed by Verbeek et al. with the herein mentioned obvious improvements and to make them cooperate together to form a cabinet adapted to organize electrical cables as defined in claims 1 to 3, on the claim date. Therefore, the subject matter of claims 1 to 3 is considered obvious having regard to Verbeek et al. in view of common knowledge.

Claims 1 and 10 are broader in scope than the teaching of the description. To comply with section 84 of the *Patent Rules* the claims must specify that the single power cord passes through a port **on the side panel** to be plugged into an external live power receptacle as it is taught in the description on page 6, lines 12 and 13.

The examiner is seeking clarification about applicants correspondence of September 29, 2004. On page 3, lines 1 and 2, the applicant indicated that the feature whereby the power cords can pass into the interior **from side panels** is claimed in the claims joined in the amendment of applicants correspondence of September 29, 2004. The examiner cannot read such claimed features in the claims joined in the amendment of applicants correspondence of September 29, 2004, please indicate where.

The examiner is seeking clarification about the utility of providing a plurality of openings on the top and side panels instead of providing a wide opening on the top and side panels.

As a reminder, care must be taken not to include any subject matter that was not in the originally filed application, as it would be contrary to Subsection 38.2(2) of the *Patent Act*.

As a reminder, care must be taken not to include claims defining the same embodiment, creating redundancy, as it would be contrary to Subsection 87(1) of the *Patent Rules*.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

Under subsection 29(1) of the *Patent Rules*, the applicant is requisitioned to provide an identification of any prior art cited in respect of any application(s) describing the same invention on behalf of the applicant or on behalf of any other person claiming under an inventor named in the present application, and the patent number, if granted. Amendment to avoid references cited abroad may expedite the prosecution. In accordance with subsection 29(3) of the *Patent Rules*, if the particulars are not available to the applicant, the reason must be stated.

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